



Attorney Docket # 4100-269RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

Helmut HÖSLE

Serial No.: 09/944,337

Filed: August 31, 2001

For: Transmission For Wind Generators

Examiner: Abdelnour, Dennis J.  
Group Art: 3681

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 8, 2004

(Date of Deposit)

F. Brice Faller

Name of applicant, assignee or Registered Representative

Signature

April 8, 2004

Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

APR 16 2004

**GROUP 3600**

RESPONSE TO OFFICE ACTION

SIR:

Responsive to the office action of January 9, 2004, a terminal disclaimer and a certificate under 37 CFR §3.73(b) are submitted herewith.

Claims 1-20 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 6,420,808. This rejection should be overcome by the terminal disclaimer, which disclaims the terminal part of the statutory term of any patent granted on the instant application, which extends beyond the expiration date of U.S. Patent No. 6,420,808.

The claims being patentable over all other art of record, withdrawal of the rejection and early allowance are solicited. If any objections remain, a call to the undersigned is requested.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By 

F. Brice Faller

Reg. No. 29,532

551 Fifth Avenue, Suite 1210

New York, New York 10176

(212) 687-2770

Dated: April 8, 2004